

27B.4 Complaints — notification — civil action.

1. Any person may file a complaint with the attorney general alleging that a local entity has violated or is violating [this chapter](#) if the person offers evidence to support such an allegation. The person shall include with the complaint any evidence the person has in support of the complaint.

2. A local entity for which the attorney general has received a complaint pursuant to [this section](#) shall comply with any document requests, including a request for supporting documents, from the attorney general relating to the complaint.

3. A complaint filed pursuant to [subsection 1](#) shall not be valid unless the attorney general determines that a violation of [this chapter](#) by a local entity was intentional.

4. If the attorney general determines that a complaint filed pursuant to [this section](#) against a local entity is valid, the attorney general, not later than ten days after the date of such a determination, shall provide written notification to the local entity by certified mail, with return receipt requested, stating all of the following:

- a. A complaint pursuant to [this section](#) has been filed and the grounds for the complaint.
- b. The attorney general has determined that the complaint is valid.
- c. The attorney general is authorized to file a civil action in district court pursuant to [subsection 6](#) to enjoin a violation of [this chapter](#) no later than forty days after the date on which the notification is received if the local entity does not come into compliance with the requirements of [this chapter](#).

d. The local entity and any entity that is under the jurisdiction of the local entity will be denied state funds pursuant to [section 27B.5](#) for the state fiscal year following the year in which a final judicial determination in a civil action brought under [this section](#) is made.

5. No later than thirty days after the date on which a local entity receives written notification under [subsection 4](#), the local entity shall provide the attorney general with all of the following:

- a. Copies of all of the local entity's written policies relating to the complaint.
- b. A description of all actions the local entity has taken or will take to correct any violations of [this chapter](#).
- c. If applicable, any evidence that would refute the allegations made in the complaint.

6. No later than forty days after the date on which the notification pursuant to [subsection 4](#) is received, the attorney general shall file a civil action in district court to enjoin any ongoing violation of [this chapter](#) by a local entity.

2021 Acts, ch 183, §33, 38

Referred to in §27B.5, 27B.6

NEW section